

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

UNITED STATES OF AMERICA)
v.)
LUZ RODRIGUEZ,)
Defendant.)
)
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)
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)
Case No. 5:08CR00038
FINAL ORDER
By: James P. Jones
United States District Judge

For the reasons set forth in the Opinion accompanying this Final Order, it is

ORDERED as follows:

1. Defendant's Motion to Vacate, Set Aside or Correct the Sentence pursuant to 28 U.S.C.A. § 2255 (ECF No. 95) is DENIED;
 2. The government's Motion to Dismiss (ECF No. 107) is considered MOOT; and
 3. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: February 21, 2012

/s/ James P. Jones
United States District Judge